

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF  
CHIBOUT ET AL.

U.S. APPLICATION NO: 10/518,575

35 USC §371 DATE: 22 DECEMBER 2004

FOR: MARKER GENES FOR DETERMINING RENAL TOXICITY

**MS: Amendment**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement of August 6, 2007, Applicants elect the claims of Group I, claims 1-11 and 13-36, drawn to methods of determining renal toxicity in an individual by use of expression. This election is made without traverse.

In response to the request to elect a species, Applicants elect the combination KIM-1 and Clusterin as markers for renal toxicity. Applicants note that the pending claim 1, for example, recites "one or more genes".

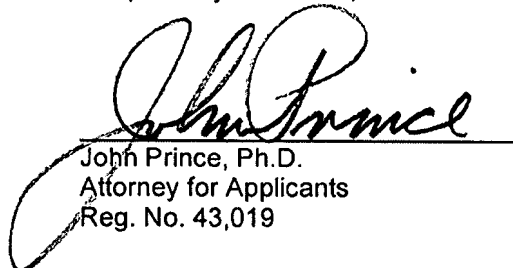
This election is being filed with a Petition for a One-Month Extension of Time. If it is deemed that additional fees are required, the Commissioner is authorized to charge Deposit Account No. 19-0134 in the name of Novartis for any fees due.

Applicants reserve the right to prosecute the subject matter of any non-elected claim groups in one or more divisional applications.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080  
(617) 871-3346

  
John Prince, Ph.D.  
Attorney for Applicants  
Reg. No. 43,019

Date: September 26, 2007